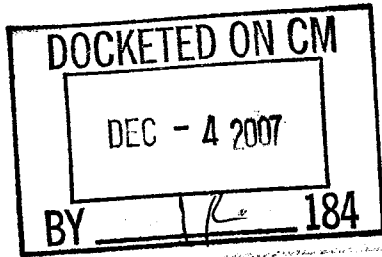


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LAW OFFICES OF DAVID B. ZLOTNICK  
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TEL: (619) 232-0331  
FAX: (619) 232-4019

Attorneys for Plaintiff



Bill \_\_\_\_\_  
Fees Pd ☒  
Frms Gvn ☒  
CAD \_\_\_\_\_  
TDO ☒  
Ntc/Dic Mld \_\_\_\_\_  
FP Frms Gvn \_\_\_\_\_

2007 NOV 28 AM 10:59  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

FILED

NOTICE OF APPEAL TO THE NINTH CIRCUIT COURT OF APPEALS FROM A  
JUDGMENT OR ORDER OF THE DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

ALBERT M. ZLOTNICK, an individual,  
Plaintiff,

vs.


COAST CAPITAL PARTNERS. LLC, and  
Does 1 through 50, inclusive,;  
Defendants.

Case No. CV07-783R (JTLx)

NOTICE OF APPEAL

1 Please Take Notice that plaintiff, ALBERT M. ZLOTNICK, hereby appeals to the United  
2 States Court of Appeals for the Ninth Circuit from the final judgment entered by the District Court  
3 on October 31, 2007 and from the Court's Order entered on November 13, 2007, which granted  
4 sanctions to Defendant Coast Capital Partners, LLC. The Court's October 29, 2007 Judgment and  
5 November 13, 2007 Order awarding sanctions are attached hereto as Exhibits A and B,  
6 respectively.

7  
8 Dated: November 27, 2005

  
David B. Zlotnick  
Attorney for Plaintiff

REPRESENTATION STATEMENT AND SERVICE LIST  
PURSUANT TO CIRCUIT RULE 3-2

Plaintiff is as follows: ALBERT M. ZLOTNICK

Plaintiffs' counsel are as follows:

David B. Zlotnick, Esq.  
Law Offices of David B. Zlotnick  
625 Broadway, Suite 635  
San Diego, CA 92101  
Tel: (619) 232-0331  
Fax: (619) 232-4019  
(Counsel On Appeal)

Louis H. Altman, Esq.  
Haberbush & Associates, LLP  
444 W. Ocean Blvd., Suite 1400  
Long Beach, CA 90802  
(District Court Counsel)

The Defendant is as follows: COAST CAPITAL PARTNERS, LLC

Defendant's counsel is as follows:

Jaime W. Marquart, Esq.  
BAKER MARQUART CRONE  
& HAWXHURST LLP  
10990 Wilshire Blvd., Fourth Floor  
Los Angeles, CA 90024

**PLAINTIFF'S  
EXHIBIT**

**A**

ALL-STATE LEGAL SUPPLY CO.

NOV-01-07 09:05AM FROM:TAUBMAN SIMPSON YOUNG &amp; SILVERTON

562-590-9695

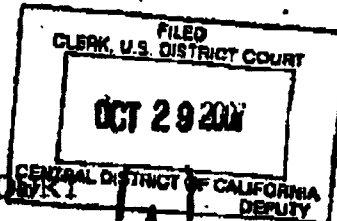
T-823 P.03/00 F-020

1 Jaime W. Marquart (Bar No. 200344)  
jmarquart@bmcblaw.com

2 BAKER MARQUART CRONE & HAWKHURST LLP  
10990 Wilshire Blvd., Fourth Floor  
3 Los Angeles, California 90024  
Telephone: (310) 575-3800  
4 Facsimile: (310) 575-3802

5 Attorneys for Defendant Coast Capital  
6 Partners, LLC

7 UNITED STATES DISTRICT COURT  
8 CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION



11 ALBERT M. ZLOTNICK, an individual,

12 Plaintiff,

Case No. CV07-783R (JTLx)

Hon. Manuel L. Real

14 COAST CAPITAL PARTNERS, LLC,  
and Does 1 through 50, inclusive,

15 Defendants.

**[PROPOSED] JUDGMENT IN  
FAVOR OF DEFENDANT COAST  
CAPITAL PARTNERS, LLC**

Courtroom: 8

NOV-01-07 09:05AM FROM:TAUBMAN SIMPSON YOUNG &amp; SULENTOR

562-580-8685

T-823 P.04/09 F-820

1 The Court, having granted summary judgment in favor of defendant Coast  
2 Capital Partners, LLC and against plaintiff Albert M. Zlotnick on each and every  
3 unabandoned claim set forth in plaintiff's Complaint.

4 NOW THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED AS  
5 FOLLOWS that:

6 1. Judgment is entered in favor of defendant Coast Capital Partners, L.L.C.,  
7 and against plaintiff.

8 2. Plaintiff shall take nothing by its Complaint.

9 3. Coast Capital Partners, LLC, shall recover its costs of suit in the amount  
10 of \$ \_\_\_\_\_.

11  
12 Dated: Oct. 29, 2007

  
The Honorable Manuel L. Real  
United States District Judge

13  
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15  
16  
17 Respectfully submitted:

18 BAKER MARQUART CRONE &  
19 HAWKHURST LLP

20  
21 By

  
Jaime W. Marquart  
Attorneys for Defendant  
Coast Capital Partners, LLC

22  
23  
24 Dated: October 26, 2007

**PLAINTIFF'S  
EXHIBIT**

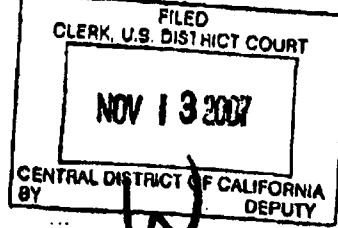
B  
ALL-STATE LEGAL SUPPLY CO.

Case 2:07-cv-00783-R-JTL Document 71 Filed 11/13/2007 Page 1 of 5

COPY

Jaime W. Marquart (Bar No. 200344)  
jmarquart@bmchl.com  
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Attorneys for Defendant Coast Capital  
Partners, LLC



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

ALBERT M. ZLOTNICK, an individual,

Plaintiff,

vs.

COAST CAPITAL PARTNERS, LLC,  
and Does 1 through 50, inclusive,

Defendants.

Case No. CV07-783R(JTLx)

Hon. Manuel L. Real

**PROPOSED ORDER GRANTING  
DEFENDANT CCP'S MOTION FOR  
SANCTIONS PURSUANT TO  
FEDERAL RULE OF CIVIL  
PROCEDURE 11**

Date: November 5, 2007

Courtroom: 8

LOGGED

2007 NOV -8 PM 3:28  
CLERK, U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES



1 On November 5, 2007, the Court held a hearing on Coast Capital Partners,  
2 LLC's ("CCP's") Motion for Sanctions Pursuant to Federal Rule of Civil Procedure  
3 11 ("Motion"). The Motion sought sanctions in the amount of some or all of CCP's  
4 attorneys' fees against plaintiff Albert M. Zlotnick, Zlotnick's counsel Louis Altman,  
5 and the law firm Taubman, Simpson, Young & Sulentor, P.C.

6 THE COURT, having considered the Motion and the supporting papers and  
7 evidence filed in connection therewith, Plaintiff Albert M. Zlotnick's and his  
8 counsel's Opposition thereto and the supporting papers filed therewith, the *ex parte*  
9 application of the law firm Taubman, Simpson, Young & Sulentor, P.C. and the  
10 supporting papers filed therewith, and CCP's Reply and the supporting papers filed  
11 therewith; all parties having been given notice and an opportunity to be heard; and  
12 GOOD CAUSE appearing therefor;

13 **HEREBY FINDS THAT:**

14 1. Plaintiff Albert M. Zlotnick and his counsel Louis Altman (and not  
15 Taubman, Simpson, Young & Sulentor, P.C.) violated Federal Rule of Civil  
16 Procedure 11(b)(3) and 11(b)(1), and each are jointly and severally responsible for  
17 the violations.

18 2. Pursuant to Federal Rule of Civil Procedure 11(c)(3), the Court finds  
19 that the prior pleadings and testimony from plaintiff's prior actions against third  
20 parties demonstrate that both Albert M. Zlotnick and his counsel at all material times  
21 were aware, or after a reasonable inquiry should have become aware, that all of  
22 plaintiff's causes of action accrued well before the time of discovery alleged and that  
23 all of plaintiff's claims were time-barred as a result. For this and other reasons stated  
24 on the record, the Court finds that the alleged fact of late discovery in plaintiff's  
25 Complaint and subsequent filings was not supportable by the evidence and that the  
26 action was brought for an improper purpose.

27 3. Pursuant to Federal Rule of Civil Procedure 11(c)(2), the Court further  
28 finds that a portion of CCP's attorneys' fees and costs in the amount of \$144,700.93

1 were incurred as a direct result of the violations noted above, that this amount in  
2 sanctions is sufficient to deter repetition of such conduct or comparable conduct by  
3 others similarly situated, and that this amount in sanctions is warranted for effective  
4 deterrence under the circumstances.

5 AND HEREBY ORDERS THAT:

6 1. Plaintiff Albert M. Zlotnick and his counsel Louis Altman are ordered,  
7 jointly and severally, to pay to CCP sanctions in the amount of \$144,700.93.

8  
9 Dated: Nov. 13, 2007

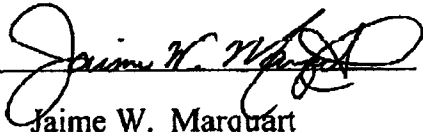
  
10 HON. MANUEL L. REAL  
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Case 2:07-cv-00783-R-JTL Document 71 Filed 11/13/2007 Page 4 of 5

1 Respectfully submitted:

2 BAKER MARQUART CRONE &  
3 HAWXHURST LLP

4 By



5 Jaime W. Marquart  
6 Attorneys for Defendant  
7 Coast Capital Partners, LLC

8 Dated: November 8, 2007  
9

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**PROOF OF SERVICE**

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 10990 Wilshire Blvd., Fourth Floor, Los Angeles, California 90024.

On November 8, 2007, I served true copies of the foregoing document described as **[PROPOSED] ORDER GRANTING DEFENDANT CCP'S MOTION FOR SANCTIONS PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 11** on the parties in this action as follows:

Louis H. Altman  
444 West Ocean Blvd., #1400  
Long Beach, CA 90802  
Ph: 562-435-3456  
Fx: 562-435-6335

Louis H. Altman, Esq.  
TAUBMAN, SIMPSON, YOUNG & SULENTOR  
One World Trade Center, Suite 400  
Long Beach, CA 90831  
Ph: 562-436-9201  
Fx: 562-590-9695

**BY MAIL:** I enclosed the foregoing into sealed envelope addressed as shown above, and I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 8, 2007, at Los Angeles, California.

  
\_\_\_\_\_  
Renee M. Travlos